

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE: KEURIG GREEN MOUNTAIN
SINGLE SERVE COFFEE ANTITRUST
LITIGATION

This document concerns all related actions.

ECF Case

MDL No. 2542

Master Docket No. 1:14-md-2542-VSB

Hon. Vernon S. Broderick

Hon. Sarah L. Cave

**DECLARATION OF MARIO MOORE IN SUPPORT OF PLAINTIFF JBR'S REPLY IN
SUPPORT OF MOTION TO EXCLUDE THE TESTIMONY OF MARC HILLMYER**

I, Mario Moore, declare and state as follows:

1. I am an attorney licensed to practice law in the State of California, and I am admitted to practice before this Court. I am a partner at Dan Johnson Law Group, LLP, and I am one of the attorneys representing Plaintiff JBR, Inc. in the above-captioned matter. I make this declaration on personal knowledge, and if called as a witness, I could and would competently testify with respect to the matters stated herein.

2. Attached as Exhibit **F** is a true and correct copy of excerpts from the transcript of the deposition of Marc A. Hillmyer, Ph.D., recorded March 29, 2021.

3. Attached as Exhibit **G** is a true and correct copy of Plaintiffs' Deposition Exhibit 3160, "Biodegradable Polymers: Present Opportunities and Challenges in Providing a Microplastic-Free Environment."

4. Attached as Exhibit **H** is a true and correct copy of Plaintiffs' Deposition Exhibit 3163, "Small-scale home composting of biodegradable household waste: Overview of key results from a three year research programme in West London."

5. Attached as Exhibit **I** is a true and correct copy of Plaintiffs' Deposition Exhibit 3162, "Biodegradable and compostable alternatives to conventional plastics."

6. Attached as Exhibit **J** is a true and correct copy of Plaintiffs' Deposition Exhibit 3161, "Assessment of anaerobic degradation of Ingeo™ polylactides under accelerated landfill conditions."

7. Attached as Exhibit **K** is a true and correct copy of Defendant's Hillmyer Deposition Exhibit 2.

8. Attached as Exhibit **L** is a true and correct copy of the LinkedIn profile of Dr. Kolstad.

9. Attached as Exhibit **M** is a true and correct copy of the LinkedIn profiles of Evan White and Jessica Horn.

10. Attached as Exhibit **N** is a true and correct copy of the LinkedIn profile of J.H. Song.

11. Attached as Exhibit **O** is a true and correct copy of Xochitl Quecholac-Piña et al., "Degradation of Plastics Under Anaerobic Conditions: A Short Review," January 5, 2020.

12. Attached as Exhibit **P** is a true and correct copy of a website capture retrieved from <https://web.archive.org/web/20171117161911/http://www.rogersfamilyco.com/index.php/learn-basics-composting-whenever-live>.

13. Attached as Exhibit **Q** is a true and correct copy of Plaintiffs' Deposition Exhibit 3158, an Organics Recycling webpage of the University of Minnesota.

14. Attached as Exhibit **R** is a true and correct copy of "OWS Final Report CMI-1: Pilot-scale composting + sieving test for measurement of disintegration of One Cup," bearing production numbers ROG002801892-918.

15. Attached as Exhibit **S** is a true and correct copy of excerpts from the transcript of the deposition of Tom Garber, recorded May 12, 2020.

16. Attached as Exhibit **T** is a true and correct copy of a presentation bearing production number ROG001215777, dated October 2013.

17. Attached as Exhibit **U** is a true and correct copy of an Innovative Mold Solutions paper entitled "Rogers' Coffee Compostable OneCup Ring," bearing production numbers ROG001232446-473.

18. Attached as Exhibit **V** is a true and correct copy of an Innovative Mold Solutions paper entitled "Rogers' Coffee Compostable OneCup Ring," bearing production numbers ROG001338641-668.

19. Attached as Exhibit **W** is a true and correct copy of correspondence from Genpak enclosing a product specification regarding compostable lidding, bearing production numbers ROG001255339-342.

20. Attached as Exhibit **X** is a true and correct copy of two BPI Certificates, bearing production numbers ROG002541965-968 and valid until August 8, 2017 and October 10, 2017, respectively.

21. Attached as Exhibit **Y** is a true and correct copy of correspondence from Genpak enclosing a BPI Certificate, bearing production numbers ROG001825394-396 and dated August 24, 2014.

22. Attached as Exhibit **Z** is a true and correct copy of correspondence enclosing a BPI Certificate, bearing production numbers ROG001834922-924 and dated March 2, 2017.

23. Attached as Exhibit **AA** is a true and correct copy of an “ecotainer Cup Information” paper, bearing production numbers KGM10114566-570 and dated June 8, 2006.

24. Attached as Exhibit **BB** is a true and correct copy of correspondence enclosing a Vincotte Certificate for Awarding and Use of the 'Ok Compost' Conformity Mark, and Frequently Asked Questions, bearing production numbers ROG001838689-697 and dated April 12, 2017.

25. Attached as Exhibit **CC** is a true and correct copy of a Vincotte Certificate for Awarding and Use of the 'Ok Compost' Conformity Mark, bearing production number ROG002336588 and dated April 12, 2017.

I declare under the penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: Irvine, California
November 10, 2021

By ____/s/ Mario Moore_____
Mario Moore